

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19432 of 2019

Arising Out of PS. Case No.-253 Year-2017 Thana- AMAS District- Gaya

Udai Yadav, aged about 44 years, male, Son of Bhuneshwar Yadav Resident of Village - Chaturikhap, P.S.- Amas, District- Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr.Sudhir Kumar Sinha, Advocate
For the State	:	APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 01-04-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 323, 341, 342, 325, 354, 379, 448, 504 and 34 of the Indian Penal Code registered in connection with Amas P.S. Case No. 253 of 2017.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of land dispute between the parties, who are agnates. The accusation of assault is against co-accused persons, namely, Bhuneshwar Yadav and Vikash Yadav who have been granted anticipatory bail by this Court vide order dated 05.04.2018 passed in Cr. Misc. No. 19312 of 2018. The petitioner is also accused in one prior Complaint Case No. 506 of 2009 filed at the instance of the uncle of the informant which has since been dismissed.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Mr.



Gorakh Nath Dubey, learned Judicial Magistrate, 1st Class, Sherghati, District Gaya in connection with Amas P.S. Case No. 253 of 2017, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

BT/Chandran

(Vikash Jain, J)

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